

PATENT
EXPRESS MAIL LABEL NO. EV 641285312 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--|-------------|----------------------------|--------------|
| U.S. Application No. | 10/527,728 | Docket No. | 75536-010100 |
| Applicant(s): | OHTA ET AL. | PCT Legal Examiner: | Bryan Tung |
| Intl filing date: | 9/10/2003 | Priority date: | 9/13/2002 |
| Title: <i>IMPACT ABSORBING MECHANISM OF WALKING ROBOT</i> | | Customer No. | 33717 |

CERTIFICATE UNDER 37 CFR 1.10
'Express Mail' mailing label number: EV 641285312 US
Date of Deposit: April 24, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to Commissioner for Patents, Mail-Stop: PCT, United States Patent and Trademark Office, Post Office Box 1450, Alexandria, Virginia 22313-1450.

Sherry B. Kolber

RECEIVED

1 MAY 2006

Legal Staff
International Division

Mail Stop PCT
Commissioner for Patents
Attention: Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.182

Applicants file this Petition under 37 C.F.R. § 1.182 in response to the Communication of February 28, 2006, the Notification of Defective Response of January 31, 2006 and to the Notification of Missing Requirements under 35 U.S.C. 371 dated August 22, 2005.

Applicants enclose the following:

1. A Statement by inventor Shigehiko OHTA dated April 14, 2006 (Appendix A);
2. A Statement by inventor Takakatsu ISOZUMI dated April 14, 2006 (Appendix B);

07/11/2006 CSMOOT 00000006 502638 10527728
Sale Ref: 00000006 DA# 502638 10527728

3. Copy of previously filed Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office dated 8/22/2005 (Appendix C);
4. Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 (Appendix D); and
5. Copy of Combined Declaration and Power of Attorney form, signed by inventors Shigehiko OHTA, Toshikazu KAWASAKI and Takakatsu ISOZUMI (Appendix E).

The names of the inventors as show in the PCT patent application No. PCT/2004/024400 are as follows: 太田 成彦 (Naruhiko Oota); 川崎 俊和 (Toshikazu Kawasaki); and 五十棟 隆 (Takamasa Izosumi).

The names of the inventors are correctly stated in the PCT patent application in Japanese (using Chinese characters). It is the corresponding reading in Roman characters that was carelessly introduced. Therefore, the correct name of the inventors was set forth in the PCT application, and accordingly there is no mistake or error on the part of the Applicants, much less an intent to deceive.

In addition, as stated in the Statements by Shigehiko Ohta and by Takakatsu Izosumi, the names in Chinese characters can have more than one reading in Roman characters. In particular, the Japanese name 太田 成彦 can have a reading of "Shigehiko Ohta" or "Naruhiko Oota". The correct reading of the inventor's name is "Shigehiko Ohta".

Also, the Japanese name 五十棟 隆勝 can have a reading of "Takakatsu Isozumi" or "Takamasa Isozumi". The correct reading of the inventor's name is "Takakatsu Isozumi". The table below shows the names of the inventors and the corresponding readings:

| Name in native language (and as shown in the PCT application) | Incorrect reading of the names of the Inventors | Correct Reading of the names of the Inventors |
|--|--|--|
| 太田 成彦 | Naruhiko Oota | Shigehiko Ohta |
| 川崎 俊和 | Toshikazu Kawasaki | Toshikazu Kawasaki |
| 五十棲 隆勝 | Takamasa Izosumi | Takakatsu Izosumi |

Accordingly, Applicants hereby petition:

1. That the correct reading of the inventors' names be amended consistent with this Petition; and
2. That the Oath and Declaration submitted on October 17, 2005 be entered as complying with the requirement of missing parts.

As submitted in the Statements by the inventors (Appendix A and B), Applicants submit that there was no intent to deceive and that the names of the inventors were transliterated.

Conclusion

Applicants respectfully request that this petition under 37 C.F.R. § 1.182 be granted. Further, Authorization is hereby given to charge the Petition Fee in the amount of \$400, as required under 37 C.F.R. § 1.17(f), and any other fee required by filing this document, or credit any overpayment, to **Deposit Account No. 50-2638**. Please reference Attorney Docket Number 75536-010100 when charging any payments or credits in connection with this matter.

Respectfully submitted,



Pablo Tapia
Reg. No. 52,275

Date: April 24, 2006

Customer Number 33717
GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Phone: (310) 586-6512
Fax: (310) 586-7800
E-mail: laipmail@GTlaw.com

LA-FS1\395287v01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---|-------------|---------------------|--------------|
| U.S. Application No. | 10/527,728 | Docket No. | 74606-010100 |
| Applicant(s): | OHTA ET AL. | PCT Legal Examiner: | Bryan Tung |
| Intl filing date: | 9/10/2003 | Priority date: | 9/13/2002 |
| Title: <i>IMPACT ABSORBING MECHANISM OF WALKING ROBOT</i> | | Customer No. | 33717 |

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Commissioner for Patents
Attention: Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SHIGEHIKO OHTA

As the first-named inventor in the above identified application, I do hereby declare as follows:

1. I am a natural person and my name is 太田 成彦.
2. I am one of the inventors in the above identified patent application.
3. The Japanese name 太田 成彦 can have a reading of "Shigehiko Ohta" or "Naruhiko Oota".
4. The correct reading of my name (太田 成彦) is "Shigehiko Ohta".
5. The PCT patent application No. PCT/2004/024400 provides the name 太田 成彦 with a reading of "Naruhiko Oota." The reading of "Naruhiko Oota" was incorrectly included in the PCT patent application without deceptive intent on my part.
6. I declare under penalty of perjury that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed this 14th day of April, 2006

Shigehiko Ohta
Shigehiko Ohta

LA-FS1\395304v01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--|-------------|---------------------|--------------|
| U.S. Application No. | 10/527,728 | Docket No. | 74606-010100 |
| Applicant(s): | OHTA ET AL. | PCT Legal Examiner: | Bryan Tung |
| Intl filing date: | 9/10/2003 | Priority date: | 9/13/2002 |
| Title: <i>IMPACT ABSORBING MECHANISM OF WALKING ROBOT</i> | | Customer No. | 33717 |

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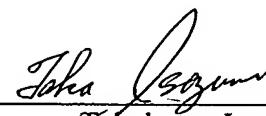
STATEMENT OF TAKAKATSU ISOZUMI

As the first-named inventor in the above identified application, I do hereby declare as follows:

1. I am a natural person and my name is 五十棟 隆勝.
2. I am one of the inventors in the above identified patent application.
3. The Japanese name 五十棟 隆勝 can have a reading of "Takakatsu Isozumi" or "Takamasa Isozumi".
4. The correct reading of my name (五十棟 隆勝) is "Takakatsu Isozumi".
5. The PCT patent application No. PCT/2004/024400 provides the name 五十棟 隆勝 with a reading of "Takamasa Isozumi". The reading of "Takamasa Isozumi" was incorrectly included in the PCT patent application without deceptive intent on my part.
6. I declare under penalty of perjury that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed this 14th day of April, 2006


Takakatsu Isozumi

LA-FS1\395335v01

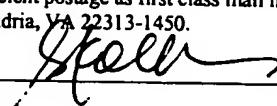
Receipt is hereby acknowledged for the following by the U.S. Patent and Trademark Office:

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Receiving Office Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 17, 2005
Date

Sherry B. Kolber



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. PCT/JP03/11586

Docket No.

74606-010100

Applicant(s): OHTA ET AL.

Officer:

Vonda M. Wallace
(703) 308-9140 ext. 225

Intl filing date: 9/10/2003

Priority date:

9/13/2002

Customer No.

33717

Title: *IMPACT ABSORBING MECHANISM OF WALKING ROBOT*

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P.O. Box 1450
Alexandria, VA 22313-1450

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Ms. Wallace:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 dated August 22, 2005, Applicant encloses the following:

1. copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office dated 8/22/2005; and
2. Combined Declaration and Power of Attorney form, signed by inventors Shigehiko OHTA, Toshikazu KAWASAKI and Takakatsu ISOZUMI

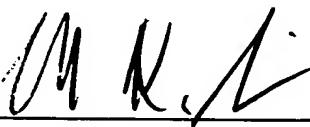
The Commissioner is hereby authorized to charge the \$130 late filing of oath/declaration surcharge, or any other necessary fees in connection with the submission of this paper, or to credit any overpayment to Deposit Account No. 50-2638.

Applicant respectfully submits that the deficiency of an executed power of attorney, oath or declaration identifying the application by the International Application Number and International Filing Date has been corrected and requests the record to reflect such response and correction.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Date: October 17, 2005

By: 
Samuel K. Simpson
Reg. No. 53,596

GREENBERG TRAURIG LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, California 90404
Telephone: (310) 586-7700
Facsimile: (310) 586-7800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/527,728 | Naruhiko Oota | Kawada - NEW |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/JP03/11586 | | |
| IA. FILING DATE | PRIORITY DATE | |
| 09/10/2003 | 09/13/2002 | |

Greenberg Traurig
 2450 Colorado Avenue, Suite 400E
 Santa Monica, CA 90404

CONFIRMATION NO. 9151
 371 FORMALITIES LETTER
 OC000000016830156
 OC000000016830156

Date Mailed: 08/22/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/14/2005
- English Translation of the IA filed on 03/14/2005
- Copy of the International Search Report filed on 03/14/2005
- Request for Immediate Examination filed on 03/14/2005
- U.S. Basic National Fees filed on 03/14/2005
- Priority Documents filed on 03/14/2005
- Specification filed on 03/14/2005
- Claims filed on 03/14/2005
- Abstracts filed on 03/14/2005
- Drawings filed on 03/14/2005

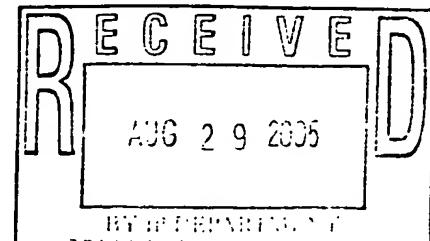
MISSING Requirements
 FINAL OA
 DUE DATE 10/22/05
 EXT. 1 11/22/05
 EXT. 2 12/22/05
 EXT. 3 1/22/06
 EXT. 4 FINAL 2/22/06
 FINAL 3/22/06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:



Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/527,728 | PCT/JP03/11586 | Kawada - NEW |

FORM PCT/DO/EO/905 (371 Formalities Notice)

米国実習書

Docket No. 74606-010100

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPACT ABSORBING MECHANISM OF WALKING ROBOT

The specification of which

- a. is attached hereto
- b. was filed on March 14, 2005 as Application Serial No. 10/527,728, which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. no such applications have been filed.
- b. such applications have been filed as follows:

| FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119 | | | |
|--|--------------------|--------------------------------------|-------------------------------------|
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |
| ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S) | | | |
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

- a. no such applications have been filed.
- b. such applications have been filed as follows:
For Continuation-in-Part (CIP) Applications, complete

| U.S. APPLICATION NUMBER | DATE OF FILING (day, month, year) | STATUS (patented, pending, abandoned) |
|-------------------------|-----------------------------------|---------------------------------------|
| | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

- a. no such applications have been filed.
- b. such applications have been filed as follows:

| U.S. PROVISIONAL APPLICATION NUMBER | DATE OF FILING (Day, Month, Year) |
|-------------------------------------|-----------------------------------|
| | |

BEST AVAILABLE COPY

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office and before competent International Authorities including the World Intellectual Property Organization, connected herewith: I appoint the following:

Charles Berman, Reg. No. 29,249
 Louis Bovasso, Reg. No. 24,075
 Enrica Bruno, Reg. No. 56,149
 Christopher Darrow, Reg. No. 30,166
 E. Nair Flores, Reg. No. 54,103
 Mark Krietzman, Reg. No. 41,128
 Marguerite Maddux, Reg. No. 50,962

Claude Nassif, Reg. No. 52,061
 Samuel Simpson, Reg. No. 53,596
 Pablo Tapia, Reg. No. 52,275
 Gerard F. Diebner, Reg. No. 31,345
 Peter Jon Gluck, Reg. No. 38,022
 Albert L. Jacobs, Jr., Reg. No. 22,211
 Elizabeth S. Lapadula, Reg. No. 46,001

Adam B. Landa, Reg. No. 35,236
 Joseph M. Manak, Reg. No. 33,013
 Brad S. Needleman, Reg. No. 40,416
 Eugene C. Rzucidlo, Reg. No. 31,900
 Paul J. Sutton, Reg. No. 24,201

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Greenberg Traurig LLP to the contrary.

Please direct all correspondence in this case to Greenberg Traurig LLP at the address indicated below:

CUSTOMER NO. 33717
 ATTN: IP DOCKETING DEPT.
 GREENBERG TRAURIG LLP
 2450 COLORADO AVENUE, SUITE 400E
 SANTA MONICA, CA 90404
 (310) 586-7700 - Phone
 (310) 586-7800 - Fax
 LAIPMAIL@gtlaw.com

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | |
|--|-------------------------|-------------|--------------------------|------------------------|
| 2 | Full Name of Inventor | Family Name | First Given Name | Second Given Name |
| 0 | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| 1 | Post Office Address | Tokyo | Japan | Japan |
| Signature of Inventor 201: <i>Shigehiko Ohta</i> | | | Date: June 30, 2005 | |

| | | | | |
|--|-------------------------|-------------|--------------------------|------------------------|
| 2 | Full Name of Inventor | Family Name | First Given Name | Second Given Name |
| 0 | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| 2 | Post Office Address | Tokyo | Japan | Japan |
| Signature of Inventor 202: <i>Kawasaki Toshikazu</i> | | | Date: June 30, 2005 | |

| | | | | |
|---|-------------------------|-------------|--------------------------|------------------------|
| 2 | Full Name of Inventor | Family Name | First Given Name | Second Given Name |
| 0 | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| 3 | Post Office Address | Tokyo | Japan | Japan |
| Signature of Inventor 203: <i>Takakatsu Isozumi</i> | | | Date: June 30, 2005 | |